

I hereby certify that on November 15, 2010, this correspondence is being submitted to the Patent and Trademark Office via the Office Electronic Filing System in accordance with 37 C.F.R. §1.6(n)(4), addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Marilyn R. Khorsandi* Nov. 15, 2010  
Marilyn R. Khorsandi

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant	:	Paul Bilibin, et al.
Patent No.	:	7,818,267
Application No.	:	09/685,077
Filed	:	October 6, 2000
Title	:	APPARATUS, SYSTEMS AND METHODS FOR ONLINE, MULTI-CARRIER, MULTI-SERVICE PARCEL SHIPPING MANAGEMENT DETERMINATION OF RATABLE WEIGHT FOR MULTIPLE CARRIERS
Grp./Div.	:	3629
Examiner	:	Plucinski, Jamisue A.
Docket No.	:	PSTM0020/MRK

**APPLICATION FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT  
INDICATED IN PATENT  
UNDER 37 C.F.R. §1.705(d)**

Commissioner for Patents (Filed Electronically)  
P.O. Box 1450  
Alexandria, VA 22313-1450

140 S Lake Ave, Ste 312  
Pasadena, CA 91101-4710  
November 15, 2010

Commissioner:

In issuing the above-identified Patent, the Patent Office granted a Patent Term Adjustment of 2344 days.

This is an Application for Reconsideration of Patent Term Adjustment ("PTA") for the above-identified Patent (the "Patent") to correct errors to **reduce** the Patent Term Adjustment from **2344 days** to **2321 days**. Reasons for the corrective reduction are given in the concurrently-filed Statement of the Correct Patent Term Adjustment In Support of Application for Reconsideration of Patent Term Adjustment Indicated in Patent Under 37 C.F.R. §1.705(d).

The Patent issued on October 19, 2010 and indicated a PTA of 2344 days. According to 37 C.F.R. §1.705(d), the October 19, 2010 issue date set a two month time frame, namely, until the expiration of December 19, 2010 (a Sunday), by which to file a request for reconsideration of the PTA indicated in the Patent. It is respectfully submitted that this Application is timely filed because it is filed before the expiration of December 20, 2010, the first business day following December 19, 2010.

As required by 37 C.F.R. §1.705(b)(1), the fee set forth in 37 C.F.R. §1.18(e) is enclosed herewith. The Commissioner is hereby authorized to charge any underpayment of

APPLICATION FOR RECONSIDERATION OF  
PATENT TERM ADJUSTMENT  
Patent No. **7,818,267**

fees, or credit any overpayment of fees, to Deposit Account No. 501574. Please show our docket number (PSTM0020/MRK) with any charge or credit to our Deposit Account.

With respect to the requirement set forth in 37 C.F.R. §1.705(b)(2)(iii), it is respectfully submitted that no Terminal Disclaimer was filed for the present application. It is respectfully submitted that the present application was named as a pending second application in Terminal Disclaimers filed for other applications, including U.S. Application Nos. 09/684,010, 09/684,869 and 09/684,866.

Respectfully submitted,  
KHORSANDI PATENT LAW GROUP,  
A LAW CORPORATION

Nov. 15, 2010

Date

By

Marilyn R. Khorsandi

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Marilyn R. Khorsandi

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant	:	Paul Bilbin, et al.
Patent No.	:	7,818,267
Application No.	:	09/685,077
Filed	:	October 6, 2000
Title	:	APPARATUS, SYSTEMS AND METHODS FOR ONLINE, MULTI-CARRIER, MULTI-SERVICE PARCEL SHIPPING MANAGEMENT DETERMINATION OF RATABLE WEIGHT FOR MULTIPLE CARRIERS
Grp./Div.	:	3629
Examiner	:	Plucinski, Jamisue A.
Docket No.	:	PSTM0020/MRK

**STATEMENT OF THE CORRECT PATENT TERM ADJUSTMENT  
IN SUPPORT OF APPLICATION FOR RECONSIDERATION OF PATENT TERM  
ADJUSTMENT INDICATED IN PATENT  
UNDER 37 C.F.R. §1.705(d)**

Commissioner for Patents (Filed Electronically)  
P.O. Box 1450  
Alexandria, VA 22313-1450

140 S. Lake Ave., Suite 312  
Pasadena, CA 91101  
November 15, 2010

Commissioner:

This Statement of the Correct Patent Term Adjustment ("PTA") is filed in support of a concurrently-filed Application for Reconsideration of Patent Term Adjustment.

The above-identified Patent issued on October 19, 2010, indicating a PTA of 2344 days. However, for the reasons given further below, it is respectfully asserted that the PTA determination of 2344 days is incorrect, and that the correct PTA is 2321 days. In particular, it is respectfully asserted that the determination of 2344 days is in error, due to a failure in the PAIR system Patent Term Adjustment History to provide the following Patent Term Adjustment events and/or considerations under 37 C.F.R. §§ 1.703 and 1.704, as follows:

**1. PAIR FAILED TO CALCULATE A PTA DEBIT OF TWENTY-THREE (23) DAYS  
CORRESPONDING TO A DELAY IN FILING A RESPONSE TO A NOTICE OF MISSING PARTS.**

A copy of a printout of the PAIR system Patent Term Adjustment History for the Application is attached hereto as Exhibit A. A copy of a printout of the PAIR system Image File Wrapper for the Application is attached hereto as Exhibit B.

It is respectfully submitted that the PAIR system failed to associate a Notice of Missing Parts and a corresponding Response to Notice of Missing Parts, and therefore failed to calculate a period of time under 37 C.F.R. §1.704(b), as follows:

a.) the PAIR system did not identify as a Notice of Missing Parts, the PAIR system Patent Term Adjustment entry No. 4, dated 12-13-2000, entitled "Notice Mailed--Application Incomplete--Filing Date Assigned" (see Exhibit A hereto; see also, Exhibit B hereto – PAIR System Image File Wrapper entry dated 12-13-2000, entitled "Pre-Exam Formalities Notice");

b.) there is no entry in the PAIR system Patent Term Adjustment History (see Exhibit A hereto) of a Response to Notice of Missing Parts, designated in the PAIR System Image File Wrapper (see Exhibit B hereto) for the Application as an entry dated "04-05-2001," entitled "Applicant Response to Pre-Exam Formalities Notice"; and

c.) the PAIR system Patent Term Adjustment History fails to associate the April 5, 2001-dated entry for Applicant's Response to Notice of Missing Parts with the Notice of Missing Parts, dated 12-13-2000.

According to 37 C.F.R. §1.704(b), it is respectfully asserted that period of adjustment credits should be reduced for the period of time "in excess of three months that are taken to reply to any notice or action by the Office making any rejection, objection, argument, or other request, . . . beginning on the day after the date that is three months after the date of mailing or transmission of the Office communication . . . and ending on the date the reply is filed." 37 C.F.R. §1.704(b). For the present case, it is respectfully asserted that period of adjustment credits should be reduced, according to 37 C.F.R. §1.704(b), by twenty-three (23) days, wherein the 23 days began on March 14, 2001 (the day after the March 13, 2001 date that is three months after the December 13, 2000 mailing date of the Notice of Missing Parts), and ended on April 5, 2001 (the date noted in the PAIR system as the receipt date of the Response to the Notice of Missing Parts).

Accordingly, for the above given reasons, it is therefore respectfully asserted that the determination of 2344 days is in error, and that period of adjustment credits should be further

STATEMENT OF THE CORRECT PATENT TERM ADJUSTMENT  
Patent No. **7,818,267**

reduced by an additional twenty-three (23) non-overlapping days under 37 C.F.R. §1.704(b), resulting in the correct Patent Term Adjustment of 2321 days.

**PATENT NOT SUBJECT TO TERMINAL DISCLAIMER.**

With respect to the requirement set forth in 37 C.F.R. §1.705(b)(2)(iii), it is respectfully submitted that no Terminal Disclaimer was filed for the present application. It is respectfully submitted that the present application was named as a pending second application in Terminal Disclaimers filed for other applications, including U.S. Application Nos. 09/684,010, 09/684,869 and 09/684,866.

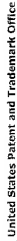
Respectfully submitted,  
KHORSANDI PATENT LAW GROUP,  
A LAW CORPORATION

Nov. 15, 2010  
Date

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**EXHIBIT A**



## United States Patent and Trademark Office

 [View Order List](#)

[https://spportal.uspto.gov/secure/myportal/!ut/p/c5/04\\_SB8K8xLLM9MSSZPy8xBz9CP0os3H7-CwIE8TtwN3V1NiA093H1N...](https://spportal.uspto.gov/secure/myportal/!ut/p/c5/04_SB8K8xLLM9MSSZPy8xBz9CP0os3H7-CwIE8TtwN3V1NiA093H1N...) 10/28/2010

95	07-01-2009	Docketing Notice Mailed to Appellant	0
94	07-01-2009	Assignment of Appeal Number	0
93	06-29-2009	Appeal Awaiting BPAI Docketing	0
92	06-24-2009	TC completion of return order	0
91	06-17-2009	Miscellaneous Communication to Applicant	0
90	06-16-2009	Miscellaneous Communication to Applicant - No Action Count	0
89	05-07-2009	Order Returning Undocketed Appeal to the Examiner	0
88	04-30-2009	Appeal Awaiting BPAI Docketing	0
87	04-22-2009	Mail Reply Brief Noted by Examiner	0
86	04-21-2009	Reply Brief Noted by Examiner	0
85	02-20-2009	Date Forwarded to Examiner	0
84	02-06-2009	Reply Brief Filed	0
83	01-13-2009	Exam. Ans. Review Complete	0
82	12-09-2008	Mail Supplemental Examiner's Answer	0
81	12-08-2008	2nd or Subsequent Examiner's Answer to Appeal Brief	0
80	12-03-2008	Administrator Remand to the Examiner by BPAI	0
79	09-02-2008	Docketing Notice Mailed to Appellant	0
78	09-02-2008	Assignment of Appeal Number	0
76	07-29-2008	Appeal Awaiting BPAI Docketing	0
75	10-30-2007	Mail Reply Brief Noted by Examiner	0
74	10-25-2007	Reply Brief Noted by Examiner	0
73	02-14-2007	Return of Undocketed appeal to the TC	0
72	02-14-2007	Date Forwarded to Examiner	0
71	02-07-2007	Reply Brief Filed	0
70	02-14-2007	Exam. Ans. Review Complete	0
69	02-14-2007	Appeal Brief Review Complete	0
68	12-14-2006	Mail Examiner's Answer	50
67	12-11-2006	Examiner's Answer to Appeal Brief	0
66	10-09-2006	Date Forwarded to Examiner	0
65	09-21-2006	Appeal Brief Filed	0
64	09-21-2006	Request for Extension of Time - Granted	0
63	07-21-2006	Mail Appeals conf. Proceed to BPAI	0
62	07-18-2006	Pre-Appeals Conference Decision - Proceed to BPAI	0
61	06-15-2006	Request for Pre-Appeal Conference Filed	2
60	06-15-2006	Notice of Appeal Filed	58
59	04-13-2006	Correspondence Address Change	0
58	03-13-2006	Mail Final Rejection (PTOL - 326)	0
57	03-06-2006	Final Rejection	0



56	12-19-2005	Information Disclosure Statement considered		0
55	08-24-2005	Information Disclosure Statement considered		0
53	12-19-2005	Reference capture on IDS		0
52.7	12-19-2005	Information Disclosure Statement (IDS) Filed	0	50
52	12-19-2005	Information Disclosure Statement (IDS) Filed		0
51	12-23-2005	Date Forwarded to Examiner		0
50	12-19-2005	Response to Election / Restriction Filed		0
49	11-17-2005	Mail Restriction Requirement		0
48	11-14-2005	Requirement for Restriction / Election		0
47	08-24-2005	Reference capture on IDS		0
46.7	08-24-2005	Information Disclosure Statement (IDS) Filed	0	44
46	08-24-2005	Information Disclosure Statement (IDS) Filed		0
45	09-02-2005	Date Forwarded to Examiner		0
44	08-24-2005	Response after Non-Final Action		0
43	05-20-2005	Mail Non-Final Rejection	4	43
42	05-16-2005	Non-Final Rejection		0
41.7	11-03-2004	Electronic Information Disclosure Statement		0
41	11-03-2004	Information Disclosure Statement (IDS) Filed		0
40	03-10-2005	IFW TSS Processing by Tech Center Complete		0
39	03-10-2005	Date Forwarded to Examiner		0
38	03-02-2005	Amendment Submitted/Entered with Filing of CPA/RCE		0
37	03-10-2005	Date Forwarded to Examiner		0
36	03-02-2005	Request for Continued Examination (RCE)	2	25
35	03-10-2005	Disposal for a RCE / CPA / R129		0
34	03-02-2005	Reference capture on IDS		0
33.7	03-02-2005	Information Disclosure Statement (IDS) Filed		0
33	03-02-2005	Information Disclosure Statement (IDS) Filed		0
32	03-02-2005	Request for Foreign Priority (Priority Papers May Be Included)		0
31	03-02-2005	Miscellaneous Incoming Letter		0
30	11-19-2004	Reference capture on IDS		0
29	11-19-2004	Miscellaneous Incoming Letter		0
28	08-22-2001	Miscellaneous Incoming Letter		0
27	03-02-2005	Workflow - Request for RCE - Begin		0
26.7	11-19-2004	Information Disclosure Statement (IDS) Filed	81	22
26	11-19-2004	Information Disclosure Statement (IDS) Filed		0
25	11-29-2004	Mail Final Rejection (PTOL - 326)		0
24	11-24-2004	Final Rejection		0
23	09-25-2004	Date Forwarded to Examiner		0

22	08-30-2004	Response after Non-Final Action	65	19
21	08-30-2004	Request for Extension of Time - Granted		0
20	08-30-2004	Workflow Incoming amendment IPW		0
19	03-26-2004	Mail Non-Final Rejection	841	-1
18	03-18-2004	Non-Final Rejection		0
17	01-14-2004	Case Docketed to Examiner in GAU		0
16	03-25-2003	Case Docketed to Examiner in GAU		0
15	01-02-2003	Case Docketed to Examiner in GAU		0
14	04-23-2002	Case Docketed to Examiner in GAU		0
13.7	12-10-2001	Information Disclosure Statement (IDS) Filed		0
13	12-10-2001	Information Disclosure Statement (IDS) Filed		0
12	12-06-2001	Case Docketed to Examiner in GAU		0
11	12-06-2001	Case Docketed to Examiner in GAU		0
10.7	08-22-2001	Information Disclosure Statement (IDS) Filed		0
10	08-22-2001	Information Disclosure Statement (IDS) Filed		0
8.7	08-09-2001	Information Disclosure Statement (IDS) Filed		0
8	08-09-2001	Information Disclosure Statement (IDS) Filed		0
7	05-06-2001	Case Docketed to Examiner in GAU		0
6	04-18-2001	Application Dispatched from CIPE		0
5	04-11-2001	Application Is Now Complete		0
4	12-13-2000	Notice Mailed--Application Incomplete--Filing Date Assigned		0
3	12-13-2000	Correspondence Address Change		0
2	11-25-2000	IPW Scan & PACR Auto Security Review		0
1	10-06-2000	Initial Exam Team nn		0

If you need help:

- Call the Patent Electronic Business Center at (866) 217-9197 (toll free) or e-mail [EBP@uspto.gov](mailto:EBP@uspto.gov) for specific questions about Patent Application Information Refresher (PAIR).
- Send general questions about USPTO programs to the [USPTO Contact Center \(USPTO-CC\)](mailto:USPTO.Contact.Center@USPTO.gov).
- Send questions about USPTO programs or problems with this application, please report them via e-mail to [Electronic.Bizness.Support@uspto.gov](mailto:Electronic.Bizness.Support@uspto.gov) or call 1-800-786-9199.

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**EXHIBIT B**



06-07-2009	APRD	<u>Order Returning Undocketed Appeal to the examiner from BPAI</u>	PROSECUTION	4	
04-22-2009	RBNE	Reply Brief Noted - BPAI	PROSECUTION	2	
04-22-2009	RBNE	Reply Brief Noted - BPAI	PROSECUTION	2	
02-06-2009	APRB	Reply Brief Filed	PROSECUTION	21	
12-06-2008	APB2	2nd or Subsequent Examiner's Answer to Appeal Brief	PROSECUTION	16	
12-03-2008	APAR	Administrative Removal to Examiner	PROSECUTION	2	
09-02-2008	AP_DK_M	Appeal Docketing Notice	PROSECUTION	2	
10-30-2007	CTMS	Miscellaneous Action with SSP	PROSECUTION	3	
02-07-2007	APRB	Reply Brief Filed	PROSECUTION	21	
12-14-2006	APEA	Examiner's Answer to Appeal Brief	PROSECUTION	14	
12-14-2006	FWCLM	Index of Claims	PROSECUTION	1	
09-21-2006	AP B	Appeal Brief Filed	PROSECUTION	59	
09-21-2006	LET.	Miscellaneous Incoming Letter	PROSECUTION	3	
09-21-2006	XT7	Extension of Time	PROSECUTION	1	
07-21-2006	AP PRE DEC	Pre-Brief Appeal Conference decision	PROSECUTION	2	
06-15-2006	AP PRE REQ	Pre-Brief Conference request	PROSECUTION	6	
06-15-2006	NAP	Notice of Appeal Filed	PROSECUTION	1	
06-15-2006	LET.	Miscellaneous Incoming Letter	PROSECUTION	2	
06-08-2006	EBCC AD	Notice of Change of Address placed in File Wrapper due to EDC Customer Number update	PROSECUTION	1	
03-13-2006	CTFR	Final Rejection	PROSECUTION	8	
03-13-2006	1449	List of References cited by applicant and considered by examiner	PRIOR ART	5	
03-13-2006	892	List of references cited by examiner	PRIOR ART	1	
03-13-2006	FWCLM	Index of Claims	PROSECUTION	1	
03-13-2006	SRFW	Search Information including classification, databases and prior search related notes	PROSECUTION	2	
03-09-2006	SRNT	Examiner's search strategy and results	PROSECUTION	4	
02-17-2006	IDS	Information Disclosure Statement (IDS) Filed (SB/08)	PROSECUTION	8	
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02-17-2006	NPL	NPL Documents	PRIOR ART	16	
02-17-2006	NPL	NPL Documents	PRIOR ART	9	
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12-19-2005	NPL	NPL Documents	PRIOR ART	4
12-19-2005	WFEE	Fee Worksheet (PTO-873)	PROSECUTION	1
11-17-2005	CTRS	Requirement for Restriction/Election	PROSECUTION	5
11-17-2005	FWCLM	Index of Claims	PROSECUTION	1
08-06-2005	WFEE	Fee Worksheet (PTO-873)	PROSECUTION	1
08-24-2005	A...	Amendment/Reo. Reconsideration-After Non-Final Rejection	PROSECUTION	2
08-24-2005	SPEC	Specification	PROSECUTION	5
08-24-2005	CLM	Claims	PROSECUTION	14
08-24-2005	REM	Applicant Arguments/Remarks Made in an Amendment	PROSECUTION	4
08-24-2005	LET.	Miscellaneous Incoming Letter	PROSECUTION	1
08-24-2005	IDS	Information Disclosure Statement (IDS) Filed (58/08)	PROSECUTION	5
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08-24-2005	CTNF	Non-Final Selection	PROSECUTION	7
05-20-2005	1449	List of References cited by applicant and considered by Examiner	PRIOR ART	2
05-20-2005	SRFW	Search Information including classification, databases and other search related notes	PROSECUTION	1
05-20-2005	FWCLM	Index of Claims	PROSECUTION	1
03-02-2005	ROEX	Request for Continued Examination (RCE)	PROSECUTION	1

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11-29-2004	CTFR	Final Rejection	PROSECUTION	8	<input type="checkbox"/>
11-29-2004	FWCLM	Index of Claims	PROSECUTION	1	<input type="checkbox"/>
11-29-2004	SRFW	Search Information including classification, databases, and other search related notes	PROSECUTION	1	<input type="checkbox"/>
11-19-2004	IDS	Information Disclosure Statement (IDS) Filed (SB/08)	PROSECUTION	7	<input type="checkbox"/>
11-19-2004	FOR	Foreign Reference	PRIOR ART	6	<input type="checkbox"/>
11-19-2004	FOR	Foreign Reference	PRIOR ART	82	<input type="checkbox"/>
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11-19-2004	NPL	NPL Documents	PRIOR ART	31	<input type="checkbox"/>
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11-19-2004	NPL	NPL Documents	PRIOR ART	27	<input type="checkbox"/>
11-19-2004	NPL	NPL Documents	PRIOR ART	53	<input type="checkbox"/>
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11-19-2004	NPL	NPL Documents	PRIOR ART	14	<input type="checkbox"/>
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11-19-2004	NPL	NPL Documents	PRIOR ART	16	<input type="checkbox"/>
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11-19-2004	NPL	NPL Documents	PRIOR ART	19	<input type="checkbox"/>
11-19-2004	NPL	NPL Documents	PRIOR ART	31	<input type="checkbox"/>
11-19-2004	NPL	NPL Documents	PRIOR ART	10	<input type="checkbox"/>
11-03-2004	WFEE	Exa Worksheet (PTO-875)	PROSECUTION	1	<input type="checkbox"/>
11-03-2004	IDS	Information Disclosure Statement (IDS) Filed (SB/08)	PROSECUTION	2	<input type="checkbox"/>
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